

Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites “a pair of metal frames” (plural), but also a separator and cathode adhered to the outside of “the metal frame” (singular). Thus, whether this claim is intended to encompass a cell with one cathode and one separator, or two of each, is unclear. Claims 2-8 and 11-16 depend on claim 1, and would thus likewise be indefinite. Claims 5 and 6 are unclear as to whether “a rectangular metal frame” is the same object as the “metal frame” first recited in claim 1. If so, reciting that the “metal frame is rectangular” and “has bent portions in its four sides” is suggested. Claims 7 and 16 depend from claims 5 or 6, and would thus again be indefinite. In claim 9, the steps “for” curing, etc., are unclear because they appear to recite the result of steps rather than what each step is. Instead of “for”, “of” is suggested. The first step also does not what is being cured. Claim 10 depends from claim 9, and would thus also be indefinite.

Claims 1-16 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The prior art cited either herein or by applicant does not disclose a collapsible metal air cell comprising a unit cell with metal frames, a rubber housing adhered to three sides of the frames, a separator and air cathode adhered to the outer side of the frame, and a metal fuel electrode inserted into the interior of the frames; or the method of making a collapsible metal air cell by the steps of curing rubber to form a housing in a metal frame, followed by adhering a separator to the outer side of the frame, adhering an air cathode to the separator, and folding bent portions of the frame.

The disclosure is objected to because of the following informalities: Drawing numerals 12 and 13 are not found in the specification. Spaces are needed between the various numbers and the accompanying units. For example, on page 5, "0.8~1.2mm" should instead be "0.8~1.2 mm", and "10~40ppi(pores per inch)" should be "10~40 ppi (pores per inch)". Appropriate correction is required.

Claims 1, 7, 9, 14 and 16 are objected to because of the following informalities: In claim 1, line 3, "plate like" should be "plate-like". Claims 7, 9, 14 and 16 include numbers and units that need a respective space between them. Appropriate correction is required.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stone *et al.* (US 5,439,758) is mentioned in the specification. Joy (US 4,560,626), Bennett (US 4,714,662), Rao *et al.* (US 5,286,578) and Yang *et al.* (US 6,844,096) disclose various metal-air cells.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Kalafut whose telephone number is 571-272-1286. The examiner can normally be reached on Mon-Fri 8:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dah Wei Yuan can be reached on 571-272-1295. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Stephen J. Kalafut/  
Primary Examiner, Art Unit 1795